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10 UNITED STATES DISTRICT COURT
11 DISTRICT OF NEVADA

12 ***

13 UNITED STATES OF AMERICA,)	
)	2:17-cr-00306-APG-CWH
14 Plaintiff,)	
)	
15 v.)	<u>DEFENDANT MARKO</u>
)	<u>LEOPARD'S UNOPPOSED</u>
16 MARKO LEOPARD,)	<u>MOTION FOR EXTENSION OF</u>
)	<u>TIME TO FILE REPLIES TO HIS</u>
17 Defendant.)	<u>MOTIONS TO DISMISS</u>

18 **Certification:** This pleading is timely filed.

19 Defendant Marko Leopard through his counsel Angela H. Dows, Esq., respectfully
20 requests that this Court grant Defendant an extension of time of seven (7) days or until on or
21 before March 26, 2019 to file his reply briefs to his: (1) Motion to Dismiss Based Upon Fifth
22 Amendment Double Jeopardy and Lack of Due Process of Law (ECF No. 468), and (2) Motion
23 to Dismiss Count One as Unconstitutionally Overbroad and/or Vague (ECF No. 471).

24 DATED this 15th day of March 2019.

25 PREMIER LEGAL GROUP
26 By: /s/ Angela H. Dows
ANGELA H. DOWS, ESQ.
Appointed Counsel for Defendant Leopard

MEMORANDUM OF POINTS AND AUTHORITIES

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2 1. On January 30, 2018, a grand jury in the District of Nevada, United States of
3 America, returned a Second Superseding Indictment against Mr. Leopard and thirty-five others.
4 The Second Superseding Indictment charged Mr. Leopard with Racketeering Conspiracy, in
5 violation of 18 U.S.C. § 1962(d). [See Dkt. No. 303.] Specific allegations were that Mr.
6 Leopard became a member of the Infraud Organization in June of 2011, and that he operates
7 “Abuse Immunity” or “Bulletproof Hosting” services that Organization members can employ
8 to create, operate, maintain and protect their own online contraband stores. [See Dkt. No. 303,
9 at page 18.]
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12 2. Mr. Leopard made his initial appearance in the case in October of 2018. [See
13 ECF No. 420.] Instant counsel was appointed for Mr. Leopard at Mr. Leopard’s October 2018
14 initial appearance.

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16 3. On February 1, 2019, Mr. Leopard filed a Motion to Dismiss Based Upon Fifth
17 Amendment Double Jeopardy and Lack of Due Process of Law (ECF No. 468), as well as a
18 Motion to Dismiss Count One as Unconstitutionally Overbroad and/or Vague (ECF No. 471).

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20 4. On March 4, 2019, the government filed a combined Response to Mr. Leopard’s
21 Motions to Dismiss (ECF No. 502).

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23 5. That the current reply briefs deadline in the case is March 19, 2019, and trial is
24 currently set for October of 2019. [See ECF No. 405.]
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1 6. Mr. Leopard is currently incarcerated pending trial at the Nevada Southern
2 Detention Center in Pahrump, Nevada. Said facility is approximately 1.5 hours of driving time
3 each way from Las Vegas, Nevada, and takes some lead time to accomplish and schedule.
4

5 7. On or about March 11, 2019, instant counsel mailed the government's
6 response(s) to Mr. Leopard for review.

7 8. Instant counsel will be visiting Mr. Leopard the week of March 18, 2019 to
8 confer in-person and in part as to the government's filed response(s), without revealing the
9 substance of said communications.

10 9. Instant counsel thus requests additional time to be able to adequately confer with
11 Mr. Leopard prior to filing the anticipated replies in this case.

12 10. That the instant motion is not being prepared or filed under any bad faith, or lack
13 of due diligence. Further, the request is for a brief period of time, taking into the exercise of
14 due diligence as well as Mr. Leopard's status of being held pretrial in the case.
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16 11. That on March 12, 2019, instant counsel conferred with counsel for the
17 government as to its intent as to the instant motion. Counsel for government, Chad W,
18 McHenry, advised that they did not have any objection to the extension, and that the instant
19 motion could be filed as agreed/unopposed.
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1 **CONCLUSION**

2 Wherefore, it is respectfully submitted that Mr. Leopard be allowed an additional seven
3 (7) days, or on or before Tuesday, March 26, 2019, by which to file his reply/ies to his Motions
4 to Dismiss, specifically his:

5 (1) Motion to Dismiss Based Upon Fifth Amendment Double Jeopardy and Lack of Due
6 Process of Law (ECF No. 468), and
7

8 (2) Motion to Dismiss Count One as Unconstitutionally Overbroad and/or Vague (ECF
9 No. 471).
10

11 DATED this 15th day of March, 2019.

12 PREMIER LEGAL GROUP

13 By: /s/ Angela H. Dows

14 ANGELA H. DOWS, ESQ.

15 Appointed Counsel for Defendant Leopard
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19 **IT IS SO ORDERED** this 20th day
20 of March, 2019.

21 

22 Peggy A. Leen

23 United States Magistrate Judge
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CERTIFICATE OF SERVICE

The undersigned hereby affirms that a copy of the foregoing:

**DEFENDANT MARKO LEOPARD'S UNOPPOSED MOTION FOR EXTENSION OF
TIME TO FILE REPLIES TO HIS MOTIONS TO DISMISS**

has been served on counsel for the Government by electronic service (ECF) to the person(s)
named below:

DAVID A. JAFFE
Chief, Organized Crime and Gang Section
KELLY PEARSON
Deputy Chief, Organized Crime and Gang Section
CHAD W. MCHENRY
ALEXANDER GOTTFRIED
Trial Attorneys, Organized Crime and Gang Section
501 Las Vegas Blvd. South, Suite 1100
Las Vegas, Nevada 89101

U.S. Department of Justice
Counsel for Plaintiff

DATED this 15th day of March, 2019.

/s/
ANGELA H. DOWS, ESQ.